

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. 4:14CR59
	§	(Judge Crone)
CEASER NATHANIAL CRAYTON	§	

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Pending before the Court is the request for revocation of Defendant's supervised release. After the District Court referred the matter to this Court for a report and recommendation, the Court conducted a hearing on June 13, 2014, to determine whether Defendant violated his supervised release. Defendant was represented by Robert Arrambide. The Government was represented by Camelia Lopez.

On June 11, 2008, Defendant was sentenced by the Honorable Marcia A. Crone, United States District Judge, to a sentence of twelve months and one day imprisonment followed by a two-year term of supervised release for the offense of Uttering Counterfeit Obligations or Securities. Defendant began his term of supervision on February 1, 2013.

On April 9, 2014, the U.S. Probation Officer filed a Petition for Warrant or Summons for Offender Under Supervision (the "Petition") (Dkt. 2). The Petition asserts that Defendant violated the following conditions of supervision: (1) Defendant must refrain from any unlawful use of a controlled substance. Defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court;

(2) Defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician; (3) Defendant is directed to undergo a program of drug and alcohol aftercare as directed by the probation office. Defendant shall totally abstain from the use of alcohol and/or other intoxicants both during and after completion of any treatment or program. Defendant may be required to contribute to the cost of services rendered (co-pay) in the amount to be determined by the probation officer, based on Defendant's ability to pay.

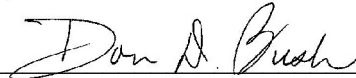
The Petition alleges that Defendant committed the following violations: (1) Defendant submitted a urine specimen that tested positive for marijuana on November 12, 2013. He signed a written admission acknowledging said use. Additionally, he submitted urine specimens that tested positive for marijuana on December 4, 2013, December 30, 2013, February 5, 2014, and February 28, 2014. The results were confirmed positive by Alere Toxicology Services, and it was determined Defendant refused marijuana prior to the collections on December 30, 2013 and February 28, 2014; and (2) Defendant verbally admitted to consuming alcohol during an unscheduled home visit conduction on October 4, 2013, during non-traditional evening hours. On this date, Defendant was sitting inside a vehicle outside of his residence with an unknown male. Upon making contract with him, his breath had a strong alcohol odor. Although reluctant when questioned, he verbally admitted to having consumed alcohol.

At the hearing, Defendant entered a plea of true to the alleged violations. Defendant waived his right to allocute before the district judge and his right to object to the report and recommendation of this Court. The Court finds that Defendant has violated the terms of his supervised release and that his supervised release should be revoked.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984 and having considered the arguments presented at the June 13, 2014 hearing, the Court recommends that Defendant be committed to the custody of the Bureau of Prisons to be imprisoned for a term of eight (8) months, with 28 months supervised release to follow. The Court further recommends that Defendant's term of imprisonment be carried out in the Bureau of Prisons facilities located in Seagoville, Texas, if appropriate.

SIGNED this 19th day of June, 2014.

A handwritten signature in cursive script, reading "Don D. Bush", is written over a horizontal line.

DON D. BUSH
UNITED STATES MAGISTRATE JUDGE